

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

PAUL BRADY SMITH,	)	
	)	
Petitioner,	)	
	)	
v.	)	1:14CV677
	)	
FRANK PERRY,	)	
	)	
Respondent.	)	

**ORDER**

On August 14, 2014, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 2 and 3.) Petitioner timely filed objections (Doc. 4) to the Recommendation.

This court has appropriately reviewed the portions of the Recommendation to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

**IT IS THEREFORE ORDERED** that Petitioner's petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. 1) is **DENIED** and that this action is dismissed without prejudice. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 6th day of January, 2015.

*William L. Ostun, Jr.*

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United States District Judge